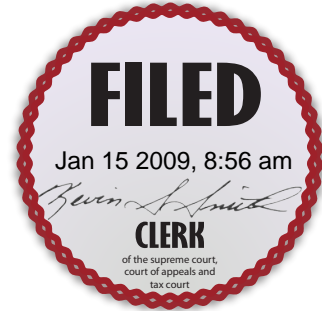


Pursuant to Ind.Appellate Rule 65(D), this Memorandum Decision shall not be regarded as precedent or cited before any court except for the purpose of establishing the defense of res judicata, collateral estoppel, or the law of the case.



APPELLANT PRO SE:

STEVE FREEDENBERG
Wonder Lake, Illinois

**IN THE
COURT OF APPEALS OF INDIANA**

STEVE FREEDENBERG,)	
)	
Appellant,)	
)	
vs.)	No. 49A02-0808-CV-770
)	
DAWN BASHAM,)	
)	
Appellee.)	

APPEAL FROM THE MARION SUPERIOR COURT
The Honorable David J. Certo, Judge
Cause No. 49G21-0712-PO-51601

January 15, 2009

MEMORANDUM DECISION - NOT FOR PUBLICATION

BARNES, Judge

Case Summary

Steve Freedenberg appeals the issuance of a protective order. We dismiss.

Issue

Freedenberg does not specifically set forth the issue raised on appeal, but he appears to challenge the validity of a protective order.

Facts

On February 8, 2008, the trial court issued a protective order prohibiting Freedenberg from having contact with D.B. and her children. Freedenberg now appeals.

Analysis

On March 10, 2008, Freedenberg filed his notice of appeal. Freedenberg had no contact with this court until August 22, 2008. On September 3, 2008, Freedenberg filed his case summary and his pro se appellant's brief. Further, although Freedenberg filed his notice of appeal on March 10, 2008, a large part of his brief appears to be devoted to a July 2008 trial court order. Freedenberg has not complied with Indiana Appellate Rule 15(B), which requires the Case Summary to be filed within thirty days of the filing of the Notice of Appeal.

Moreover, Freedenberg's entire brief consists of nine numbered paragraphs. It contains no specific Table of Contents, Table of Authorities, Statement of Issues, Statement of Case, Statement of Facts, Summary of Argument, Argument, or Conclusion. See Ind. Appellate Rule 46(A). More importantly though, as a substantive matter, Freedenberg's brief is confusing and contains only cursory references to the UCCJEA

and Indiana Trial Rule 4.4.¹ See App. R. 46(A)(8)(a) (requiring the argument to contain the issues presented supported by cogent reasoning and citations to authorities, statutes, and the Appendix or parts of the Record relied on).

Freedenberg cannot take refuge in the sanctuary of his amateur status. See Shepherd v. Truex, 819 N.E.2d 457, 463 (Ind. Ct. App. 2004). As we have noted many times before, a litigant who chooses to proceed pro se will be held to the same rules of procedure as trained legal counsel and must be prepared to accept the consequences of his or her action. Id. Further, the purpose of the Indiana Appellate Rules, especially Rule 46, is to aid and expedite review, as well as to relieve the appellate court of the burden of searching the record and briefing the case. Id. It is well settled that we will not consider an appellant's assertion on appeal when he or she has failed to present cogent argument supported by authority and references to the record as required by the rules. Id. "If we were to address such arguments, we would be forced to abdicate our role as an impartial tribunal and would instead become an advocate for one of the parties." Id. We cannot do this.

Although we prefer to dispose of cases on their merits, where an appellant fails to substantially comply with the Indiana Appellate Rules, the dismissal of the appeal is warranted. Hughes v. King, 808 N.E.2d 146, 147 (Ind. Ct. App. 2004). In this case,

¹ On December 18, 2008, Freedenberg filed a "Notice of pertinent and significant additional authorities." This notice contains references to Illinois statutes and cases. It is unclear how these references pertain to this case or why Freedenberg did not cite them in his original brief. Regardless, these additional authorities are insufficient to enable to review his claim on the merits.

where there was almost a total noncompliance with the Indiana Appellate Rules, the dismissal of Freedenberg's appeal is warranted.

Conclusion

Freedenberg completely failed to comply with the Indiana Appellate Rules. We dismiss.

Dismissed.

BAILEY, J., and MATHIAS, J., concur.